

34585-A-PCT/USA (070050.1667)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fisher et al.  
Serial No. : Not yet assigned Examiner : Not yet assigned  
Filed : Not yet assigned Group Art Unit: Not yet assigned  
For IMPROVED EXPRESSION VECTOR FOR CONSISTENT CELLULAR  
EXPRESSION OF THE TET-ON REPRESSOR IN MULTIPLE CELL  
TYPES

PETITION TO REVIVE APPLICATION  
PURSUANT TO 37 C.F.R. § 1.137(b)

**Express Mail Label No. EF321683201US**

Commissioner for Patents  
BOX PETITION  
Washington, D.C. 20231

RECEIVED  
07 FEB 2002  
MAIL ROOM

Sir:

Applicants respectfully petition to revive the accompanying above-captioned application in accordance with the provisions of 37 U.S.C. §1.137(b) as the abandonment was unintentional. This application became abandoned due to an unintentional failure to file a U.S. national phase application under 35 U.S.C. §371 within the 30 month deadline for entry into the national stage in the United States for International Patent Application PCT/US00/06862 of September 15, 2001.

The entire delay in filing the accompanying application was unintentional. Attorney for Applicant Kole had mistakenly believed that the filing under 35 U.S.C. §371 had been made, whereas it had not been.

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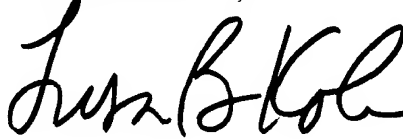
Accompanying this letter are: (1) the application filed under 35 U.S.C. §371, a filing fee of \$770.00, a Transmittal Letter, and (2) the required fee for the Petition under 37 U.S.C. §1.17(m) in the amount of \$620.00; a Terminal Disclaimer is not required, since this application was filed after June 8, 1995.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4377. A duplicate copy of this page is enclosed.

Applicants respectfully request (i) that this promptly filed petition to revive the above-captioned application in accordance with 37 U.S.C. §1.137 be granted, (ii) that the revived application be accorded the benefit of a claim of priority to parent application No. PCT/US00/06862 and its filing date of March 15, 2000, as well as its priority document, U.S.S.N. 09/268,303 filed March 15, 1999 and (iii) that the revived application be allowed to continue prosecution.

Respectfully submitted,

BAKER BOTTS, LLP.



Lisa B. Kole  
Patent Office Reg. No. 35,225

Dated: September 21, 2001

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